

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
3573-110.1 US

In Re Application Of: Jose Ramon Botella

Serial No.
09/669,476

Filing Date
09/25/00

Examiner
TBA

Group Art Unit
TBA

Invention: Novel ACC Synthase Gene

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
11/20/00
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

Request for Corrected Filing Receipt

**Response To Notice To File Missing Parts Of Application
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☒ Completion of application fees as calculated below:

☒ Utility application filing fee \$690.00

☐ Design application filing fee

☒ Total number of independent claims = 9 \$702.00

☒ Total number of claims = 13 \$234.00

☐ Multiple dependent claims

☐ Surcharge for late payment of filing fee and/or late filing of original declaration or oath

☐ Petition and fee for filing by other than all the inventors or a person not the inventor

☐ Fee for processing an application filed with a non-English language specification

☒ Fee for processing and retention of application \$130.00

Total completion of application fees 1,756

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: _____ until: _____
Date Date

Total time extension fees

Total fees due \$1,756.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
3573-110.1 US

In Re Application Of: Jose Ramon Botella

Serial No.
09/669,476

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Examiner
TBA

Group Art Unit
TBA

Invention: Novel ACC Synthase Gene

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of \$1,756.00 is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 13-2165
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 13-2165
A duplicate copy of this sheet is enclosed.


Signature

Dated: December 20, 2000

Mary Kakefuda Reg. No. 39,245
Mathews, Collins, Shepherd & Gould, P.A.
100 Thanet Circle Suite 306
Princeton, NJ 08540

I certify that this document and fee is being deposited on
12/20/00 with the U.S. Postal Service as first
class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.


Signature of Person Mailing Correspondence

Mary Kakefuda

Typed or Printed Name of Person Mailing Correspondence

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/669,476	09/25/2000	1649		3573-110.1- US	10	33	12

M38
Mathews Collins Shepherd & Gould P A
100 Thanet Circle
Suite 306
Princeton, NJ 08540-3662



FILING RECEIPT



0C000000005566949

Date Mailed: 11/20/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Jose Ramon Botella, Kenmore, AUSTRALIA;

Continuing Data as Claimed by Applicant

627 04/06/2000 PAT 6,124,525
THIS APPLICATION IS A CON OF 09/043,682 09/20/1998 PAT 6,144,793
WHICH IS A 371 OF PCT/JP87/02616 07/29/1997

PCT/AU96/00591 09/20/96

Foreign Applications

AUSTRALIA PN5559 09/20/1995
AUSTRALIA PN9603 05/02/1996

If Required, Foreign Filing License Granted 11/19/2000

Title

Novel ACC synthase gene

Preliminary Class

800



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/669,476	09/25/2000	Jose Ramon Botella	3573-110.1-US

Mathews Collins Shepherd & Gould P A
100 Thanet Circle
Suite 306
Princeton, NJ 08540-3662



FORMALITIES LETTER



OC000000005566950

Date Mailed: 11/20/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.

Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- Total additional claim fee(s) for this application is \$936.

01/02/2001 KZEMDIE 00000051 09559476	
01 FC:101	710.00 09
02 FC:105	130.00 09
03 FC:102	720.00 09
04 FC:103	30.00 CH 195.00 09

 - \$234 for 13 total claims over 20.
 - \$702 for 9 independent claims over 3.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required under 37 CFR 1.821(e).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-1123
- For CRF Submission Help, call (703) 308-4212
- PatentIn Software Program Support
- For Technical Assistance, call (703) 287-0200
- To Purchase PatentIn Software, call (703) 306-2600

01/02/2001 KZEMDIE 00000051 09559476
01 FC:101 710.00
02 FC:105 130.00
03 FC:102 720.00
04 FC:103 30.00 CH 195.00



- The balance due by applicant is \$ 1756.

A copy of this notice MUST be returned with the reply.

BO T-6

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Sector \$.



3573-110.1 US

FIRST CLASS MAIL CERTIFICATE

Date of Deposit: December 20, 2000

I hereby certify that this paper is being deposited with the United States Postal Service as prepaid first class mail on the date indicated above and is addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.


Mary Kakefuda

In re Application of
Jose Ramon Botella

S rial No. 09/669,476

Group Art Unit: TBA

Filed :September 25, 2000

Examiner: TBA

For : NOVEL ACC SYNTHASE GENE

The following documents are enclosed herewith:

Type of documents:

1. Response to Notice to File Missing Parts;
2. copy of Notice to File Missing Parts;
3. Preliminary Amendment;
4. Request for Corrected Filing Receipt;
5. marked-up copy of Filing Receipt;
6. Our check, in the amount of \$1756.00;
7. Acknowledgment Post Card.

FIRST CLASS MAIL CERTIFICATE

Date of Deposit: December 20, 2000

I hereby certify that this paper is being deposited with the United States Postal Service as prepaid first class mail on the date indicated above and is addressed to Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.



Mary Kakefuda
Mary Kakefuda

3573-110.1 US

Applicant: Jose Ramon Botella

Serial No.: 09/669,476

Group Art Unit: 1649

Filed: September 25, 2000

Examiner: TBA

Title: NOVEL ACC SYNTHASE GENE

Request for Corrected Filing Receipt

Please correct the Filing Receipt dated November 20, 2000 to correct the Continuing Data as noted on the attached marked-up copy of the filing receipt.

The Continuing Data is incorrect due to a typographical error by the Patent Office. The Continuing Data should appear as follows:

This Application is a Con of **09/043,627** 04/06/2000 PAT 6,124,525

Which is a 371 of PCT/ AU96/00591 filed 9/20/96

The number of the parent application was inadvertently typed as 09/043,687 instead of **627**. The number was correctly typed on the Patent Transmittal (copy attached with return receipt card).

No fee is believed due, however, please charge any fees to the Deposit

Account No. 13-2165.

Respectfully submitted,

Date: December 20, 2000


Mary Kakefuda
Reg. No. 39,245

Mathews, Collins, Shepherd & Gould, P.A.
100 Thanet Circle
Suite 306
Princeton, New Jersey 08540
Phone (609) 924-8555
Fax (609) 924-3036

Enclosures